

REFERENCE TITLE: real estate department; appraisers

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2774

Introduced by
Representatives Meza, Pancrazi: Ableser, Alvarez, Bradley, Crandall,
DeSimone, Gallardo, Kavanagh, Lujan, Sinema, Thrasher, Senator McCune
Davis

AN ACT

CHANGING THE DESIGNATION OF TITLE 32, CHAPTER 36, ARIZONA REVISED STATUTES, TO "APPRAISERS"; AMENDING SECTIONS 32-3601, 32-3605, 32-3607, 32-3609, 32-3611, 32-3613, 32-3614, 32-3615, 32-3617, 32-3618, 32-3619, 32-3620, 32-3621, 32-3622, 32-3625, 32-3626, 32-3627, 32-3628, 32-3631, 32-3632, 32-3635, 32-3637, 32-3638, 32-3639, 32-3651, 32-3652, 32-3653, 32-3654, 32-3655 AND 41-1092, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 36, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 32-3608; REPEALING SECTIONS 32-3604, 32-3606 AND 32-3608, ARIZONA REVISED STATUTES; RELATING TO APPRAISERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The chapter heading of title 32, chapter 36, Arizona Revised Statutes,
4 is changed from "STATE BOARD OF APPRAISAL" to "APPRAISERS".

5 Sec. 2. Section 32-3601, Arizona Revised Statutes, is amended to read:

6 32-3601. Definitions

7 In this chapter, unless the context otherwise requires:

8 1. "Appraisal" or "real estate appraisal" means a statement
9 independently and impartially prepared by an individual setting forth an
10 opinion as to the market value of real property as of a specific date and
11 supported by the presentation and analysis of relevant market information.

12 2. "Appraisal assignment" means an engagement for which a real estate
13 appraiser is employed or retained to act, or would be perceived by third
14 parties or the public in acting, as a disinterested third party in rendering
15 an unbiased analysis, opinion or conclusion relating to the nature, quality,
16 value or utility of specified interests in or aspects of identified real
17 estate.

18 3. "Appraisal foundation" means the appraisal foundation incorporated
19 as an Illinois not-for-profit corporation on November 30, 1987.

20 4. "Appraisal report" means any communication, written or oral, of an
21 appraisal.

22 5. "Appraisal review" means the act of reviewing or the report that
23 follows a review of an appraisal assignment or appraisal report in which a
24 real estate appraiser forms an opinion as to the adequacy and appropriateness
25 of the report being reviewed.

26 6. "Appraisal standards board" means the appraisal standards board
27 appointed by the board of trustees of the appraisal foundation to develop,
28 interpret and amend the uniform standards of professional appraisal practice.

29 7. "Appraisal subcommittee" means the subcommittee of the federal
30 financial institutions examination council created pursuant to 12 United
31 States Code section 3310 and chapter 34A, as amended.

32 8. "Appraiser qualifications board" means the appraiser qualifications
33 board appointed by the board of trustees of the appraisal foundation to
34 establish the minimum education, experience and examination requirements for
35 real estate appraisers.

36 ~~9. "Board" means the state board of appraisal.~~

37 ~~10.~~ 9. "Complex one to four residential units" means property that is
38 atypical for the marketplace. Atypical factors may include architectural
39 style, age of improvements, size of improvements, size of lot, neighborhood
40 land use, potential environmental hazard liability, leasehold interests,
41 limited readily available comparable sales data or other unusual factors.

42 ~~11.~~ 10. "Course approval" means the act of the ~~board~~ DEPARTMENT
43 reviewing course materials to form an opinion as to the adequacy and
44 appropriateness of the course for licensing pursuant to section 32-3613,
45 certification pursuant to section 32-3614 and continuing education as

prescribed in section 32-3625 in accordance with the appraiser qualifications board and this chapter.

11. "DEPARTMENT" MEANS THE STATE REAL ESTATE DEPARTMENT.

12. "Federal financial institutions examination council" means that agency of the federal government created pursuant to 12 United States Code chapters 34 and 34A, as amended.

13. "Federally related transaction" means any real estate related financial transaction that a federal financial institution's regulatory agency or the resolution trust corporation engages in, contracts for or regulates and that requires an appraisal.

14. "Property tax agent" means an individual who is designated by a person or is an employee of an entity designated as an agent pursuant to section 42-16001, who acts on behalf of a person who owns, controls or possesses property valued by a county assessor and who receives a fee for the analysis of any matter relating to the review of the valuation of the person's property before the assessor. Property tax agent does not include a person who is admitted to practice law in this state, an employee of the person owning, controlling or possessing the property or an employee of an entity designated pursuant to section 42-16001, if the employee is performing a secretarial, clerical or administrative support function.

15. "Real estate" means an identified parcel or tract of land, including improvements, if any.

16. "Real estate related financial transaction" means any transaction involving the sale, lease, purchase, investment in or exchange of real property, including interests in property or the financing of property, the refinancing of real property or interests in real property and the use of real property or interests in property as security for a loan or investment including mortgage-backed securities.

17. "Real property" means one or more defined interests, benefits and rights inherent in the ownership of real estate.

18. "Review appraiser" means a person who engages in the activity of reviewing and evaluating the appraisal work of others from the perspective of an appraiser, generally for compensation as a separate skill. This includes the function of reviewing an appraisal report or a file memorandum setting forth the results of the review process.

19. "Standards of professional appraisal practice" means the uniform standards of professional appraisal practice adopted by the ~~board~~ DEPARTMENT.

20. "State licensed or state certified appraiser" means a person who develops and communicates appraisals and who holds a current, valid license or certificate issued to him under ~~the provisions of~~ this chapter.

21. "Value" means the monetary relationship between properties and those who buy, sell or use those properties.

Sec. 3. Repeal

Section 32-3604, Arizona Revised Statutes, is repealed.

1 Sec. 4. Section 32-3605, Arizona Revised Statutes, is amended to read:
2 32-3605. State real estate department; duties

3 A. The ~~board~~ DEPARTMENT shall adopt rules in aid or in furtherance of
4 this chapter.

5 B. The ~~state board of appraisal~~ DEPARTMENT shall:

6 1. In prescribing standards of professional appraisal practice, adopt
7 standards that at a minimum are equal to the standards prescribed by the
8 appraisal standards board.

9 2. In prescribing criteria for certification, adopt criteria that at a
10 minimum are equal to the minimum criteria for certification adopted by the
11 appraiser qualifications board.

12 3. In prescribing criteria for licensing, adopt criteria that at a
13 minimum are equal to the minimum criteria for licensing adopted by the
14 appraiser qualifications board.

15 4. Further define by rule with respect to state licensed or state
16 certified appraisers appropriate and reasonable educational experience,
17 appraisal experience and equivalent experience that meets the statutory
18 requirement of this chapter.

19 5. Establish the examination specifications for state certified
20 appraisers, provide or procure appropriate examination questions and answers,
21 administer examinations and establish procedures for grading examinations
22 consistent with and equivalent to the criteria adopted by the appraiser
23 qualifications board.

24 6. Establish the examination specifications for state licensed
25 appraisers, provide or procure appropriate examination questions and answers,
26 administer examinations and establish procedures for grading examinations
27 consistent with and equivalent to the criteria adopted by the appraiser
28 qualifications board.

29 7. Establish administrative procedures for approving or disapproving
30 applications for licensure and certification and issuing licenses and
31 certificates.

32 8. Define by rule, with respect to state licensed and certified
33 appraisers, the continuing education requirements for the renewal of licenses
34 or certificates that satisfy the statutory requirements provided in this
35 chapter.

36 9. Periodically review the requirements for the development and
37 communication of appraisals provided in this chapter and adopt rules
38 explaining and interpreting the requirements.

39 10. Define and explain by rule each stage and step associated with the
40 administrative procedures for the disciplinary process pursuant to this
41 chapter including:

42 (a) Prescribing minimum criteria for accepting a complaint against a
43 licensed or certified appraiser.

44 (b) Defining the process and procedures used in investigating the
45 allegations of the complaint.

1 (c) Defining the process and procedures used in hearings on the
2 complaint, including a description of the rights of the ~~board~~ DEPARTMENT and
3 any person who is alleged to have committed the violation.

4 (d) Establishing criteria to be used in determining the appropriate
5 actions for violations.

6 11. Communicate information that is useful to the public and appraisers
7 relating to actions for violations.

8 12. Censure, suspend and revoke licenses and certificates pursuant to
9 the disciplinary proceedings provided for in section 32-3631.

10 13. At least monthly transmit to the appraisal subcommittee a roster
11 listing individuals who have received a state certificate or license in
12 accordance with this chapter.

13 14. Report on the disposition of any matter referred by the appraisal
14 subcommittee or any other federal agency or instrumentality or federally
15 recognized entity reporting any action of a state licensed or state certified
16 appraiser that is contrary to this chapter.

17 15. Make a determination and finding if there exists a scarcity of
18 state certified or state licensed appraisers to perform appraisals in
19 connection with federally related transactions in this state and issue
20 resident temporary licenses and certificates pursuant to section 32-3626.

21 16. Transmit the national registry fee collected pursuant to section
22 32-3607 to the appraisal subcommittee.

23 17. Establish the fees in accordance with the limits established in
24 section 32-3607.

25 18. Perform such other functions and duties as may be necessary to
26 carry out this chapter.

27 C. The ~~board~~ DEPARTMENT may employ ~~an executive director and other~~
28 personnel and designate their duties. ~~The executive director shall serve at~~
29 ~~the pleasure of the board.~~

30 ~~D. The executive director shall not change or amend actions of the~~
31 ~~board.~~

32 Sec. 5. Repeal

33 Section ~~32-3606~~, Arizona Revised Statutes, is repealed.

34 Sec. 6. Section 32-3607, Arizona Revised Statutes, is amended to read:

35 ~~32-3607.~~ Fees

36 A. The ~~board~~ DEPARTMENT shall charge and collect fees that are
37 sufficient to fund the activities necessary to carry out this chapter. These
38 include:

39 1. An application fee for licensure or certification of not more than
40 four hundred dollars.

41 2. An application fee for a resident temporary license or certificate
42 of not more than four hundred dollars.

43 3. An examination fee of not more than one hundred dollars.

44 4. A fee for renewal of a license, certificate or resident temporary
45 license or certificate of not more than four hundred twenty-five dollars.

1 5. A delinquent renewal fee in addition to the renewal fee of not more
2 than twenty-five dollars.

3 6. A two year national registry fee of not to exceed the actual cost
4 of twice the current annual national registry fee.

5 7. A nonresident temporary licensure or certification fee of not more
6 than one hundred fifty dollars.

7 8. A course approval fee of not more than five hundred dollars.

8 B. If the appraisal subcommittee raises the national registry fee
9 during the second year of a biennial license or certificate, state licensed
10 and state certified appraisers shall pay the additional national registry fee
11 on demand by the ~~board~~ DEPARTMENT. Failure to pay the additional fee within
12 thirty days of notice by the ~~board~~ DEPARTMENT subjects the license or
13 certificate holder to a penalty of twice the amount owed but not to exceed
14 twenty dollars. The ~~board~~ DEPARTMENT shall not renew a license or
15 certificate until all outstanding obligations of the license or certificate
16 holder are paid.

17 Sec. 7. Repeal

18 Section 32-3608, Arizona Revised Statutes, is repealed.

19 Sec. 8. Title 32, chapter 36, article 1, Arizona Revised Statutes, is
20 amended by adding a new section 32-3608, to read:

21 32-3608. Placement of monies collected

22 THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147,
23 ALL MONIES COLLECTED UNDER THIS CHAPTER IN THE STATE GENERAL FUND UNLESS
24 OTHERWISE PRESCRIBED BY LAW.

25 Sec. 9. Section 32-3609, Arizona Revised Statutes, is amended to read:

26 32-3609. Confidential records

27 Except as otherwise provided by law, the following records are
28 confidential:

29 1. Questions contained in any examination administered by or for the
30 ~~board~~ DEPARTMENT or in any examination submitted to the ~~board~~ DEPARTMENT for
31 course approval.

32 2. Questions asked and the answers of individual examinees, except
33 that the ~~board~~ DEPARTMENT shall provide the grades of each examinee for
34 public inspection and copying.

35 3. Appraisal reports or appraisal reviews and supporting documentation
36 deemed confidential under the uniform standards of professional appraisal
37 practice edition adopted by the ~~board~~ DEPARTMENT.

38 4. All documents associated with a complaint until the complaint is
39 resolved.

40 Sec. 10. Section 32-3611, Arizona Revised Statutes, is amended to
41 read:

42 32-3611. Licensure and certification process

43 A. Applications for original licensure or certification, renewals and
44 examinations shall be made in writing to the ~~executive director~~ DEPARTMENT on
45 forms approved by the ~~board~~ DEPARTMENT.

1 B. Appropriate fees, as fixed by the ~~board~~ DEPARTMENT pursuant to
2 section 32-3607, shall accompany all applications for original licensure or
3 certification, renewal and examination.

4 C. At the time of filing an application for licensure or
5 certification, each applicant shall sign a pledge to comply with the
6 standards set forth in this chapter and shall state that the applicant
7 understands the types of misconduct for which disciplinary proceedings may be
8 initiated against a state licensed or state certified appraiser, as set forth
9 in this chapter.

10 D. Except as otherwise provided in this chapter, the ~~executive~~
11 ~~director~~ DEPARTMENT shall require such other proof and request such
12 documents, through the application or otherwise, as the ~~board~~ DEPARTMENT
13 deems necessary for the interests of the public and to verify the honesty,
14 truthfulness, reputation and competency of the applicant and shall require
15 that the applicant for licensure or certification:

16 1. Be at least eighteen years of age and a citizen of the United
17 States or a qualified alien as defined in 8 United States Code section 1641.

18 2. Shall not have had a license or certificate denied pursuant to this
19 chapter within one year immediately preceding the application.

20 3. Shall not have had a license or certificate revoked pursuant to
21 this chapter within two years immediately preceding the application.

22 4. State whether or not the applicant has ever been convicted in a
23 court of competent jurisdiction in this or any other state of a felony or of
24 forgery, theft, extortion or conspiracy to defraud or any other crime
25 involving dishonesty or moral turpitude.

26 E. Applications for licensure or certification by persons who are
27 charged or under indictment for fraud involving appraisal of real property
28 may be denied pending final disposition of the charge or indictment. Upon
29 final disposition, the ~~board~~ DEPARTMENT shall review the proceedings and act
30 upon the application.

31 Sec. 11. Section 32-3613, Arizona Revised Statutes, is amended to
32 read:

33 32-3613. Application and qualification requirements for
34 issuance of license

35 A. An application for licensing and examination shall be made on forms
36 as prescribed by the ~~board~~ DEPARTMENT and accompanied by the required fees.

37 B. Those persons filing for licensing shall meet the minimum criteria
38 for licensing established by the ~~board~~ DEPARTMENT under section 32-3605,
39 subsection B, paragraph 3.

40 C. No person may be a state licensed appraiser unless the person has
41 achieved a passing grade on a suitable examination administered by the ~~board~~
42 DEPARTMENT.

1 Sec. 12. Section 32-3614, Arizona Revised Statutes, is amended to
2 read:

3 32-3614. Application and qualification requirements for
4 certification

5 A. An application for certification and examination shall be made on
6 forms prescribed by the ~~board~~ DEPARTMENT and accompanied by the required
7 fees.

8 B. Those persons filing for certification shall meet the minimum
9 criteria for certification established by the ~~board~~ DEPARTMENT under section
10 32-3605, subsection B, paragraph 2 and section 32-3615.

11 C. No person may be a state certified real estate appraiser unless the
12 person has achieved a passing grade on a suitable examination administered by
13 the ~~board~~ DEPARTMENT.

14 D. Persons presenting evidence showing successful completion of the
15 requirements of this section shall be recognized as having met the
16 qualifications as a state certified real estate appraiser.

17 Sec. 13. Section 32-3615, Arizona Revised Statutes, is amended to
18 read:

19 32-3615. Experience requirement for licensure or certification

20 A. Each applicant for licensure or certification shall have experience
21 that was acquired within ten years immediately preceding the filing of the
22 application for licensure or certification.

23 B. Each applicant for licensure or certification shall furnish under
24 oath a detailed listing of the real estate or other appraisal reports, review
25 reports or filed memoranda for each year for which experience is claimed by
26 the applicant. On request, the applicant shall make available to the ~~board~~
27 DEPARTMENT for examination copies of appraisal reports which the applicant
28 has prepared in the course of the applicant's appraisal experience.

29 Sec. 14. Section 32-3617, Arizona Revised Statutes, is amended to
30 read:

31 32-3617. Nonresident temporary licensure or certification

32 A. Every applicant for nonresident temporary licensure or
33 certification under this chapter who is not a resident of this state shall
34 submit, with the application for nonresident temporary licensure or
35 certification, an irrevocable consent that service of process on the
36 applicant may be made by delivery of the process to the secretary of state
37 if, in an action against the applicant in a court of this state arising out
38 of the applicant's activities as a nonresident temporary state licensed or
39 state certified appraiser, the plaintiff cannot effect, in the exercise of
40 due diligence, personal service on the applicant.

41 B. A nonresident of this state who has complied with subsection A may
42 obtain a nonresident temporary license or certificate as a nonresident
43 temporary state licensed or state certified appraiser by conforming to all of
44 the requirements of this chapter relating to state licensed or state
45 certified appraisers.

1 C. A nonresident of this state who is licensed or certified in another
2 state is entitled to nonresident temporary licensure or certification from
3 the ~~board~~ DEPARTMENT, which shall be valid until the completion of each
4 appraisal assignment but not for a period of more than one year from the date
5 of issuance, if:

6 1. The properties to be appraised are federally related.

7 2. The nonresident appraiser's business in this state is of a
8 temporary nature.

9 3. The nonresident appraiser applies with the ~~board~~ DEPARTMENT on
10 forms prepared by the ~~board~~ DEPARTMENT.

11 4. The nonresident appraiser pays the nonresident temporary licensure
12 or certification fee required by the ~~board~~ DEPARTMENT.

13 Sec. 15. Section 32-3618, Arizona Revised Statutes, is amended to
14 read:

15 32-3618. Nonresident licensure or certification by reciprocity

16 If, in the determination of the ~~board~~ DEPARTMENT, another state is
17 deemed to have substantially equivalent licensing or certification
18 requirements and the ~~board~~ DEPARTMENT has entered into a reciprocity
19 agreement with that state, an applicant who is licensed or certified under
20 the laws of the other state may obtain a license or certificate as a state
21 licensed or state certified appraiser in this state on such terms and
22 conditions as may be determined by the ~~board~~ DEPARTMENT.

23 Sec. 16. Section 32-3619, Arizona Revised Statutes, is amended to
24 read:

25 32-3619. Renewal of license or certificate; fees; military duty
26 exception

27 A. Except as otherwise provided in this section, to renew a license or
28 certificate as a state licensed or state certified appraiser, the holder of a
29 current, valid license or certificate shall make an application and pay the
30 prescribed fee to the ~~board~~ DEPARTMENT not earlier than ninety days nor later
31 than thirty days before the expiration date of the license or certificate
32 then held. With the application for renewal, the state licensed or state
33 certified appraiser shall present evidence in the form prescribed by the
34 ~~board~~ DEPARTMENT of having completed the continuing education requirements
35 for renewal specified in section 32-3625. The renewal application shall be
36 mailed to the last known address of record not more than ninety days nor less
37 than sixty days before the renewal date.

38 B. The ~~board~~ DEPARTMENT may accept a renewal application after the
39 expiration date and within ninety days of the date of expiration but shall
40 assess a delinquent renewal fee in addition to the renewal fee.

41 C. A person WHO IS deployed outside of the United States on active
42 military duty with the United States armed forces and whose license or
43 certificate has expired during such active military duty outside of the
44 United States may file a renewal application within one hundred eighty days
45 of returning home from active military duty and shall not be required to pay

1 a delinquent renewal fee. Evidence of the renewal applicant's dates and
2 locations of deployment must be submitted with a renewal application filed
3 under this subsection. In addition, the renewal applicant must provide
4 evidence of completion of the continuing education requirements that the
5 renewal applicant would have otherwise been required to meet during the
6 period preceding the renewal application.

7 D. An appraiser who fails to seek renewal within the time period
8 specified in subsection A, B or C of this section must reapply for licensure
9 or certification and meet all of the requirements of this chapter.

10 E. An appraiser shall not engage in, advertise or purport to engage in
11 real estate appraisal activity in this state after a license or certificate
12 has expired and before the renewal of the expired license or certificate.

13 F. Notwithstanding section 41-1092.11, a license or certificate
14 expires on its expiration date.

15 Sec. 17. Section 32-3620, Arizona Revised Statutes, is amended to
16 read:

17 32-3620. Basis for denial of a license or certificate

18 A. The ~~board~~ DEPARTMENT may deny the issuance of a license or
19 certificate as a state licensed or state certified appraiser to an applicant
20 who has been convicted of a felony or on any of the grounds prescribed in
21 this chapter.

22 B. To assist in determining whether grounds exist to deny the issuance
23 of a license or certificate to an applicant, the ~~board~~ DEPARTMENT may require
24 a criminal background check including the fingerprinting of every applicant
25 for an original license and certificate. The criminal background check may
26 be conducted pursuant to section 41-1750 or in any other manner deemed
27 suitable by the ~~board~~ DEPARTMENT. The ~~board~~ DEPARTMENT may charge the cost
28 of each criminal background check to the applicant.

29 C. A person who is denied the issuance of a license or certificate may
30 request, and if requested shall receive, a hearing in accordance with title
31 41, chapter 6, article 10.

32 Sec. 18. Section 32-3621, Arizona Revised Statutes, is amended to
33 read:

34 32-3621. Addresses; telephone numbers; notification of change

35 A. Each state licensed or state certified appraiser shall advise the
36 ~~board~~ DEPARTMENT of the address of the appraiser's principal place of
37 business and all other addresses at which the appraiser is currently engaged
38 in the business of preparing real property appraisal reports.

39 B. Every state licensed or state certified appraiser shall notify the
40 ~~board~~ DEPARTMENT of the appraiser's current residence address. Residence
41 addresses on file with the ~~board~~ DEPARTMENT are exempt from disclosure as
42 public records.

43 C. Every state licensed or state certified appraiser shall provide a
44 daytime telephone number to the ~~board~~ DEPARTMENT.

1 D. If a state licensed or state certified appraiser changes a place of
2 business or residence or the appraiser's daytime telephone number, the
3 appraiser shall give written notification of the change within ten days after
4 the change to the ~~board~~ DEPARTMENT.

5 Sec. 19. Section 32-3622, Arizona Revised Statutes, is amended to
6 read:

7 32-3622. Licenses and certificates

8 A. A license or certificate issued under this chapter shall be signed
9 on behalf of the ~~board~~ DEPARTMENT and shall bear the license or certificate
10 number assigned by the ~~board~~ DEPARTMENT.

11 B. Each state licensed or state certified appraiser shall place the
12 appraiser's license or certificate number adjacent to or immediately below
13 the title "state licensed appraiser" or "state certified appraiser" and the
14 number shall be included in an appraisal report or in a contract or other
15 instrument used by the license or certificate holder in conducting appraisal
16 activities.

17 Sec. 20. Section 32-3625, Arizona Revised Statutes, is amended to
18 read:

19 32-3625. Continuing education

20 A. As a prerequisite to renewal of a license or certificate, a state
21 licensed or state certified appraiser shall present evidence satisfactory to
22 the ~~board~~ DEPARTMENT of having met the continuing education requirements of
23 either subsection B or C.

24 B. The basic continuing education requirement for renewal of a license
25 or certificate is the completion by the applicant, during the immediately
26 preceding term of the license or certificate, of courses or seminars which
27 are approved by the ~~board~~ DEPARTMENT.

28 C. An applicant for relicensing or recertification may satisfy all or
29 part of the continuing education requirements by presenting evidence of the
30 following which shall be approved by the ~~board~~ DEPARTMENT:

31 1. Completion of an education program of study determined by the ~~board~~
32 DEPARTMENT to be equivalent, for continuing education purposes, to courses
33 approved by the ~~board~~ DEPARTMENT pursuant to subsection B.

34 2. Participation other than as a student in educational processes and
35 programs which are approved by the ~~board~~ DEPARTMENT and which relate to
36 appropriate appraisal theory, practices or techniques, including teaching,
37 program development and preparation of textbooks, monographs, articles and
38 other instructional materials, not to exceed fifty per cent of an applicant's
39 continuing education requirements and not for the same course in consecutive
40 renewal periods.

41 D. The ~~board~~ DEPARTMENT shall adopt rules to assure that persons
42 renewing their licenses or certificates as state licensed or state certified
43 appraisers follow practices and techniques which provide a high degree of
44 service and protection to those members of the public with whom they deal in

the professional relationship under the authority of the license or certificate. The rules shall include the following:

1. Policies and procedures for obtaining ~~board~~ DEPARTMENT approval of courses and instruction pursuant to subsection B.

2. Standards, policies and procedures to be applied by the ~~board~~ DEPARTMENT in evaluating an applicant's claims of equivalency in accordance with subsection C.

3. Standards, monitoring methods and systems for recording attendance to be employed by course sponsors as a prerequisite to ~~board~~ DEPARTMENT approval of courses for credit.

E. In adopting rules pursuant to subsection D, paragraph 1, the ~~board~~ DEPARTMENT shall give consideration to courses of instruction, seminars and other appropriate appraisal educational courses or programs previously or hereafter developed by or under the auspices of professional appraisal organizations and utilized by those associations for purposes of designation, or indicating compliance with the continuing education requirements of such organizations. No person who offers these courses may discriminate in the opportunity to participate in these courses on the basis of membership or nonmembership in an appraisal organization.

F. No amendment or repeal of a rule adopted by the ~~board~~ DEPARTMENT pursuant to this section may operate to deprive a state licensed or state certified appraiser of credit toward renewal of a license or certificate for any course of instruction either completed by the applicant or enrolled in by the applicant before the amendment or repeal of the rule which would have qualified for continuing education credit under the rule as it existed before the repeal or amendment.

G. A license or certificate as a state licensed or state certified appraiser that has been revoked as a result of disciplinary action by the ~~board~~ DEPARTMENT shall not be reinstated unless the applicant presents evidence of completion of the continuing education required by this chapter. This requirement of evidence of continuing education shall not be imposed on an applicant for reinstatement who has been required to successfully complete the examination for state licensed or state certified appraiser as a condition of reinstatement of a license or certificate.

Sec. 21. Section 32-3626, Arizona Revised Statutes, is amended to read:

32-3626. Scarcity determination; resident temporary licenses and certificates; exemption

A. No later than November 1 of each year, the ~~board~~ DEPARTMENT shall determine and make a finding whether there is a scarcity of state certified or state licensed appraisers in an area within the state to perform appraisals in federally related transactions.

B. In determining whether a scarcity exists, the ~~board~~ DEPARTMENT shall follow procedures in accordance with the provisions governing scarcity

1 in 12 United States Code section 3348 and regulations adopted pursuant to
2 that section as of September 30, 1992.

3 C. If the ~~board~~ DEPARTMENT makes a finding of scarcity, within fifteen
4 days after the finding, the ~~board~~ DEPARTMENT shall apply to the appropriate
5 federal agency for a temporary waiver of the state certification or licensing
6 requirements.

7 D. If a waiver request has been approved by the federal agency
8 authorized to issue waivers, the ~~board~~ DEPARTMENT may thereafter issue
9 resident temporary licenses or certificates to applicants consistent with the
10 reduction in application requirements of this chapter for licenses and
11 certificates as authorized by the waiver. A resident temporary license or
12 certificate shall be subject to all provisions of this chapter not
13 inconsistent with the provisions of the waiver.

14 E. A person obtaining a resident temporary license or certificate
15 under this section is required to comply with all of the provisions of this
16 chapter except for those provisions of this chapter for which a temporary
17 waiver has been approved and shall indicate on all appraisals performed by
18 the person that the appraisal is not an appraisal done by a state certified
19 or state licensed appraiser and the person performing the appraisal is a
20 resident temporary license or certificate holder. A person holding a
21 resident temporary license or certificate may perform appraisals only in
22 areas within the state where it has been determined by the ~~board~~ DEPARTMENT
23 that a scarcity exists.

24 F. The ~~board~~ DEPARTMENT is exempt from title 41, chapter 6, article 10
25 in making the determination and finding and in issuing resident temporary
26 licenses and certificates in accordance with the waiver in subsection D of
27 this section and section 32-3605, subsection B, paragraph 14.

28 Sec. 22. Section 32-3627, Arizona Revised Statutes, is amended to
29 read:

30 32-3627. Inactive license or certificate status; reactivation
31 application; renewal application and fee; continuing
32 education

33 A. Any license or certificate holder may request that the license or
34 certificate be placed on inactive status by filing with the ~~board~~ DEPARTMENT
35 an application that includes all of the following:

- 36 1. The license or certificate holder's name.
- 37 2. The license or certificate number.
- 38 3. A request for inactive status.

39 B. The period a license or certificate is on inactive status under
40 this section may not exceed two years.

41 C. A license or certificate holder who is on inactive status shall not
42 do either of the following:

- 43 1. Represent that the license or certificate holder is an active
44 appraiser licensed or certified in this state.

1 2. Perform real estate appraisals or appraisal reviews on real estate
2 in this state.

3 D. A license or certificate holder on inactive status under this
4 section must file with the ~~board~~ DEPARTMENT an application for reactivation
5 of the license or certificate before resuming real estate appraisal activity.

6 E. To return to active status, an inactive license or certificate
7 holder shall do both of the following:

8 1. File with the ~~board~~ DEPARTMENT an application for reactivation of
9 the license or certificate.

10 2. Provide evidence of completion of the required continuing education
11 that the license or certificate holder would have been required to meet
12 during the period when the license or certificate holder's license or
13 certificate was on inactive status.

14 F. If the holder of an inactive license or certificate under this
15 section does not file an application for reactivation within a two year
16 period, that person must reapply for licensure or certification pursuant to
17 the requirements of this chapter.

18 G. A license or certificate holder who is on inactive status pursuant
19 to this section remains on inactive status until the ~~board~~ DEPARTMENT
20 approves the application for reactivation of the license or certificate.

21 H. The ~~board~~ DEPARTMENT may take disciplinary or remedial action
22 against a license or certificate holder who is on inactive status pursuant to
23 this section.

24 I. A license or certificate holder who places the holder's license or
25 certificate on inactive status must pay the renewal fee and complete an
26 application for renewal as prescribed in section 32-3619. A license or
27 certificate holder on inactive status is not required to provide evidence of
28 completion of the continuing education requirements until the application for
29 reactivation is filed pursuant to subsection E of this section.

30 Sec. 23. Section 32-3628, Arizona Revised Statutes, is amended to
31 read:

32 32-3628. Inactive license or certificate status during military
33 duty; reactivation application; renewal application
34 and fee; continuing education

35 A. A license or certificate holder who is ordered to active military
36 duty with the United States armed forces may request that the license or
37 certificate be placed on inactive status by filing with the ~~board~~ DEPARTMENT
38 an application that includes all of the following:

39 1. The license or certificate holder's name.

40 2. The license or certificate number.

41 3. The date that the active military duty begins.

42 4. A request for inactive status.

1 B. The license or certificate is deemed to be on inactive status while
2 the license or certificate holder is on active military duty but the period
3 of inactive status may not exceed three years.

4 C. A license or certificate holder who is on inactive status pursuant
5 to this section shall not do either of the following:

6 1. Represent that the holder is an active appraiser licensed or
7 certified in this state.

8 2. Perform real estate appraisals or appraisal reviews on real estate
9 in this state.

10 D. A license or certificate holder on inactive status must file with
11 the ~~board~~ DEPARTMENT an application for reactivation of the license or
12 certificate within thirty days after returning home from active military
13 duty.

14 E. If the holder of an inactive license or certificate timely files an
15 application for reactivation of the license or certificate, the license or
16 certificate is returned to active status on the ~~board's~~ DEPARTMENT'S approval
17 of the application for reactivation. The time period for completion of the
18 continuing education requirements that the license or certificate holder
19 would otherwise have been required to meet during the period when the license
20 or certificate was on inactive status is extended for a period not to exceed
21 one hundred eighty days after return from active military duty. The license
22 or certificate holder must submit proof of completion of any continuing
23 education requirements to the ~~board~~ DEPARTMENT no later than thirty days
24 after completion.

25 F. If the holder of an inactive license or certificate under this
26 section does not make a timely application for reactivation as required by
27 subsection D of this section, the holder must reapply for licensure or
28 certification meeting all of the requirements of this chapter.

29 G. A license or certificate holder who is on inactive status pursuant
30 to this section remains on inactive status until the ~~board~~ DEPARTMENT
31 approves the application for reactivation of the license or certificate.

32 H. The holder of an inactive license or certificate applying for
33 reactivation of the license or certificate under this section shall include
34 with the application for reactivation a copy of the documentation from the
35 armed forces showing the period of time that the holder of the inactive
36 license or certificate was on active military duty.

37 I. Any license or certificate holder who places the holder's license
38 or certificate on inactive status under this section must pay the renewal fee
39 prescribed in section 32-3607 and complete an application for renewal
40 pursuant to section 32-3619. A license or certificate holder on inactive
41 status pursuant to this section who files an application for reactivation is
42 required to provide evidence of completion of the continuing education
43 requirements pursuant to subsection E of this section.

44 J. For the purposes of this section, active military duty does not
45 include service persons performing weekend drill and annual training.

1 Sec. 24. Section 32-3631, Arizona Revised Statutes, is amended to
2 read:

3 32-3631. Disciplinary proceedings

4 A. The rights of an applicant or holder under a license or certificate
5 as a state licensed or state certified appraiser may be revoked or suspended
6 or the holder of the license or certificate may otherwise be disciplined in
7 accordance with this chapter on any of the grounds set forth in this section.
8 The ~~board~~ DEPARTMENT may investigate the actions of a state licensed or state
9 certified appraiser and may revoke or suspend the rights of a license or
10 certificate holder or otherwise discipline a state licensed or state
11 certified appraiser for any of the following acts or omissions:

12 1. Procuring or attempting to procure a license or certificate
13 pursuant to this chapter by knowingly making a false statement, submitting
14 false information, refusing to provide complete information in response to a
15 question in an application for a license or certificate or committing any
16 form of fraud or misrepresentation.

17 2. Failing to meet the minimum qualifications established by this
18 chapter.

19 3. Paying or offering to pay money or other considerations other than
20 as provided by this chapter to any member or employee of the ~~board~~ DEPARTMENT
21 to procure a license or certificate under this chapter.

22 4. A conviction, including a conviction based on a plea of guilty, of
23 a crime which is substantially related to the qualifications, functions and
24 duties of a person developing appraisals and communicating appraisals to
25 others, or a conviction for any felony or any crime involving moral
26 turpitude.

27 5. An act or omission involving dishonesty, fraud or misrepresentation
28 with the intent to substantially benefit the license or certificate holder or
29 another person or with the intent to substantially injure another person.

30 6. Violation of any of the standards of the development or
31 communication of appraisals as provided in this chapter.

32 7. Negligence or incompetence in developing an appraisal, in preparing
33 an appraisal report or in communicating an appraisal.

34 8. Wilfully disregarding or violating any of the provisions of this
35 chapter or the rules of the ~~board~~ DEPARTMENT for the administration and
36 enforcement of this chapter.

37 9. Accepting an appraisal assignment if the employment itself is
38 contingent on the appraiser reporting a predetermined estimate, analysis or
39 opinion or if the fee to be paid is contingent on the opinion, conclusion or
40 value reached or on the consequences resulting from the appraisal assignment.

41 10. Violating the confidential nature of any records to which the
42 appraiser gains access through employment or engagement as an appraiser.

43 11. Entry of a final civil judgment against the person on grounds of
44 fraud, misrepresentation or deceit in the making of any appraisal.

1 B. In a disciplinary proceeding based on a civil judgment, the state
2 licensed or state certified appraiser shall be afforded an opportunity to
3 present matters in mitigation and extenuation.

4 C. The ~~board~~ DEPARTMENT may issue subpoenas for the attendance of
5 witnesses and the production of books, records, documents and other evidence
6 necessary and relevant to an investigation or hearing.

7 Sec. 25. Section 32-3632, Arizona Revised Statutes, is amended to
8 read:

9 32-3632. Hearing and judicial review

10 A. The hearing on the charges shall be at a time and place prescribed
11 by the ~~board~~ DEPARTMENT and shall be in accordance with title 41, chapter 6,
12 article 10.

13 B. If the ~~board~~ DEPARTMENT determines that a state licensed or state
14 certified appraiser is guilty of a violation of this chapter, it shall
15 prepare a finding of fact and take disciplinary or remedial action.

16 C. Except as provided in section 41-1092.08, subsection H, any final
17 decision or order of the ~~board~~ DEPARTMENT may be appealed to the superior
18 court pursuant to title 12, chapter 7, article 6.

19 Sec. 26. Section 32-3635, Arizona Revised Statutes, is amended to
20 read:

21 32-3635. Standards of practice

22 A. A state licensed or state certified appraiser shall comply with the
23 standards of professional appraisal practice adopted by the ~~board~~ DEPARTMENT.

24 B. An appraisal or appraisal report shall not be issued by a real
25 estate appraiser unless it meets the appraisal standards established by this
26 chapter and rules adopted pursuant to this chapter.

27 C. An appraisal review report shall clearly indicate the nature of the
28 review process undertaken and shall separate the review function from any
29 other functions.

30 D. All federally related appraisals shall be in writing.

31 Sec. 27. Section 32-3637, Arizona Revised Statutes, is amended to
32 read:

33 32-3637. Retention of records; definition

34 A. A state licensed or state certified appraiser shall retain a work
35 file for at least five years after preparation of the work file or at least
36 two years after final disposition of any judicial proceeding in which the
37 appraiser provided testimony related to the work file, whichever period of
38 time is greater.

39 B. A state licensed or state certified appraiser shall do either of
40 the following:

41 1. Have custody of the appraiser's work file.

42 2. Make appropriate work file retention, access and retrieval
43 arrangements with the party having custody of the work file.

C. The ~~board~~ DEPARTMENT may inspect all records required to be maintained under this chapter by the state licensed or state certified appraiser on reasonable notice to the appraiser.

D. For the purposes of this section, "work file" includes documentation necessary to support an appraiser's analyses, opinions and conclusions.

Sec. 28. Section 32-3638, Arizona Revised Statutes, is amended to read:

32-3638. Violation; classification

Any person who performs a real estate appraisal or appraisal review, who is not licensed or certified under this chapter and who knowingly assumes or uses any title, designation or abbreviation likely to create the impression of licensure or certification by this state or any person who knowingly provides false or fraudulent information to the ~~board~~ DEPARTMENT is guilty of a class 1 misdemeanor.

Sec. 29. Section 32-3639, Arizona Revised Statutes, is amended to read:

32-3639. Damages; injunctive relief

If the ~~board~~ DEPARTMENT has a reasonable basis to believe, after investigation, that any person is violating any provision of this chapter, the ~~board~~ DEPARTMENT may bring an action in superior court for appropriate injunctive or other equitable relief, damages sustained and taxable costs and reasonable attorney fees.

Sec. 30. Section 32-3651, Arizona Revised Statutes, is amended to read:

32-3651. Definitions

In this article, unless the context otherwise requires:

1. "Analysis" means the review of a property valuation established by a county assessor in the representation of a person in appealing the property valuation to the county assessor.

2. "Appraisal" means the development of real or personal property value opinions or conclusions.

~~3. "Board" means the state board of appraisal.~~

3. "DEPARTMENT" MEANS THE STATE REAL ESTATE DEPARTMENT.

4. "Property tax agent" means an individual who is designated by a person or is an employee of an entity designated as an agent pursuant to section 42-16001, who acts on behalf of a person who owns, controls or possesses property valued by a county assessor or the department of revenue and who receives a fee for the analysis of any matter relating to the review of the valuation of the person's property before the assessor, the county or state board of equalization or the department of revenue. Property tax agent does not include a person who is admitted to practice law in this state, an employee of the person owning, controlling or possessing the property or an employee of an entity designated pursuant to section 42-16001, if such

1 employee is performing a secretarial, clerical or administrative support
2 function.

3 Sec. 31. Section 32-3652, Arizona Revised Statutes, is amended to
4 read:

5 32-3652. Registration; renewal; fees

6 A. An individual who wishes to act as a property tax agent shall apply
7 for registration by submitting to the ~~board~~ DEPARTMENT a completed
8 application form prescribed by the ~~board~~ DEPARTMENT with the initial
9 registration fee. The applicant shall also file with the ~~board~~ DEPARTMENT an
10 affidavit stating whether the applicant has been convicted of a felony or any
11 misdemeanor involving dishonesty or moral turpitude in this or any other
12 state within the last ten years. The ~~board~~ DEPARTMENT may review the
13 affidavit and issue or deny the registration based on its findings.

14 B. Registration is valid for two years. An individual may renew a
15 registration by submitting to the ~~board~~ DEPARTMENT a renewal form prescribed
16 by the ~~board~~ DEPARTMENT with the renewal fee on or before the date the
17 registration expires.

18 C. An appraiser licensed or certified pursuant to this chapter may
19 register and renew registration as a property tax agent without paying the
20 fee prescribed by this section.

21 D. The ~~board~~ DEPARTMENT shall issue a certificate of registration to
22 an individual, if the individual complies with this section and the
23 individual is not prohibited from registering pursuant to section 32-3654.

24 E. A person shall not act as a property tax agent if the person is not
25 registered pursuant to this section.

26 F. The ~~board~~ DEPARTMENT shall collect from each individual a fee of:

27 1. Two hundred dollars for an initial registration.

28 2. One hundred dollars for a renewal.

29 3. Five dollars for a duplicate registration certificate.

30 ~~G. The board shall deposit, pursuant to sections 35-146 and 35-147,~~
31 ~~monies collected pursuant to subsection F of this section in the board of~~
32 ~~appraisal fund.~~

33 Sec. 32. Section 32-3653, Arizona Revised Statutes, is amended to
34 read:

35 32-3653. Property tax agent conduct

36 A property tax agent:

37 1. Shall not knowingly misrepresent any information or act in a
38 fraudulent manner.

39 2. Shall not prepare documents or provide evidence in a property
40 valuation appeal unless the agent is authorized by the property owner to do
41 so and any required agency authorization form has been filed.

42 3. Shall not knowingly submit false or erroneous information in a
43 property valuation appeal.

1 4. Shall use appraisal standards and methods which are adopted by the
2 ~~board~~ DEPARTMENT when the agent submits appraisal information in a property
3 valuation appeal.

4 Sec. 33. Section 32-3654, Arizona Revised Statutes, is amended to
5 read:

6 32-3654. Disciplinary actions

7 A. On the complaint of any person or on its own motion, the ~~board~~
8 DEPARTMENT shall investigate any suspected violation of this article by a
9 property tax agent. If the ~~board~~ DEPARTMENT finds a violation it may issue a
10 letter of concern.

11 B. If the ~~board~~ DEPARTMENT finds that the property tax agent committed
12 any of the following violations, it shall revoke or suspend the agent's
13 registration:

14 1. Secured registration by fraud or deceit.

15 2. Committed an act or is responsible for an omission involving fraud
16 or knowing misrepresentation with the intent to obtain a benefit.

17 3. Knowingly violated section 32-3653.

18 C. The ~~board~~ DEPARTMENT shall:

19 1. Suspend the agent's registration for not less than six months on
20 the first finding of a violation pursuant to subsection B of this section.

21 2. Suspend the agent's registration for not less than twelve months on
22 the second finding of a violation pursuant to subsection B of this section.

23 3. Revoke the agent's registration on a third or subsequent finding of
24 a violation pursuant to subsection B of this section.

25 D. The ~~board~~ DEPARTMENT shall not impose discipline until the agent
26 has been provided an opportunity for a hearing before the ~~board~~ DEPARTMENT
27 pursuant to title 41, chapter 6, article 10. The ~~board~~ DEPARTMENT shall
28 notify the agent of the charges and the date and time of the hearing. The
29 notice may be personally served or sent by certified mail to the agent's last
30 known address. Except as provided in section 41-1092.08, subsection H, the
31 final decision of the ~~board~~ DEPARTMENT is subject to judicial review pursuant
32 to title 12, chapter 7, article 6.

33 E. The ~~board~~ DEPARTMENT shall not renew an agent's registration during
34 the time the registration is suspended or revoked.

35 Sec. 34. Section 32-3655, Arizona Revised Statutes, is amended to
36 read:

37 32-3655. Rules

38 The ~~board~~ DEPARTMENT may adopt rules for the purpose of administering
39 this article.

40 Sec. 35. Section 41-1092, Arizona Revised Statutes, is amended to
41 read:

42 41-1092. Definitions

43 In this article, unless the context otherwise requires:

44 1. "Administrative law judge" means an individual or an agency head,
45 board or commission that sits as an administrative law judge, that conducts

1 administrative hearings in a contested case or an appealable agency action
 2 and that makes decisions regarding the contested case or appealable agency
 3 action.

4 2. "Administrative law judge decision" means the findings of fact,
 5 conclusions of law and recommendations or decisions issued by an
 6 administrative law judge.

7 3. "Appealable agency action" means an action that determines the
 8 legal rights, duties or privileges of a party and that is not a contested
 9 case. Appealable agency actions do not include interim orders by
 10 self-supporting regulatory boards or rules, orders, standards or statements
 11 of policy of general application issued by an administrative agency to
 12 implement, interpret or make specific the legislation enforced or
 13 administered by it, nor does it mean or include rules concerning the internal
 14 management of the agency that do not affect private rights or interests. For
 15 the purposes of this paragraph, administrative hearing does not include a
 16 public hearing held for the purpose of receiving public comment on a proposed
 17 agency action.

18 4. "Director" means the director of the office of administrative
 19 hearings.

20 5. "Final administrative decision" means a decision by an agency that
 21 is subject to judicial review pursuant to title 12, chapter 7, article 6.

22 6. "Office" means the office of administrative hearings.

23 7. "Self-supporting regulatory board" means any one of the following:

24 (a) The ARIZONA state board of accountancy.

25 ~~(b) The state board of appraisal.~~

26 ~~(c)~~ (b) The board of barbers.

27 ~~(d)~~ (c) The board of behavioral health examiners.

28 ~~(e)~~ (d) The Arizona state boxing commission.

29 ~~(f)~~ (e) The state board of chiropractic examiners.

30 ~~(g)~~ (f) The board of cosmetology.

31 ~~(h)~~ (g) The state board of dental examiners.

32 ~~(i)~~ (h) The state board of funeral directors and embalmers.

33 ~~(j)~~ (i) The Arizona game and fish commission.

34 ~~(k)~~ (j) The board of homeopathic medical examiners.

35 ~~(l)~~ (k) The Arizona medical board.

36 ~~(m)~~ (l) The naturopathic physicians board of medical examiners.

37 ~~(n)~~ (m) The state board of nursing.

38 ~~(o)~~ (n) The board of examiners of nursing care institution
 39 administrators and adult care home managers.

40 ~~(p)~~ (o) The board of occupational therapy examiners.

41 ~~(q)~~ (p) The state board of dispensing opticians.

42 ~~(r)~~ (q) The state board of optometry.

43 ~~(s)~~ (r) The Arizona board of osteopathic examiners in medicine and
 44 surgery.

45 ~~(t)~~ (s) The Arizona peace officer standards and training board.

- 1 ~~(u)~~ (t) The Arizona state board of pharmacy.
- 2 ~~(v)~~ (u) The board of physical therapy examiners.
- 3 ~~(w)~~ (v) The state board of podiatry examiners.
- 4 ~~(x)~~ (w) The state board for private postsecondary education.
- 5 ~~(y)~~ (x) The state board of psychologist examiners.
- 6 ~~(z)~~ (y) The board of respiratory care examiners.
- 7 ~~(aa)~~ (z) The structural pest control commission.
- 8 ~~(bb)~~ (aa) The state board of technical registration.
- 9 ~~(cc)~~ (bb) The Arizona state veterinary medical examining board.
- 10 ~~(dd)~~ (cc) The acupuncture board of examiners.
- 11 ~~(ee)~~ (dd) The Arizona regulatory board of physician assistants.
- 12 ~~(ff)~~ (ee) The board of athletic training.
- 13 ~~(gg)~~ (ff) The board of massage therapy.

14 Sec. 36. Succession; transfer of powers and authority

15 A. As provided by this act, the state real estate department succeeds
16 to the authority, powers, duties and responsibilities of the state board of
17 appraisal.

18 B. This act does not alter the effect of any actions that were taken
19 or impair the valid obligations of the state board of appraisal before the
20 effective date of this act.

21 C. Administrative rules and orders that were adopted by the state
22 board of appraisal continue in effect until superseded by the administrative
23 action by the state real estate department.

24 D. All administrative matters, contracts and judicial and
25 quasi-judicial actions, whether completed, pending or in process, of the
26 state board of appraisal on the effective date of this act are transferred to
27 and retain the same status with the state real estate department.

28 E. All certificates, licenses, registrations, permits and other
29 indicia of qualification and authority that were issued by the state board of
30 appraisal retain their validity for the duration of their terms of validity
31 as provided by law.

32 F. All equipment, records, furnishings and other property, all data
33 and investigative findings and all appropriated monies that remain unexpended
34 and unencumbered on the effective date of this act of the state board of
35 appraisal are transferred to the state real estate department.